9 FAM PART IV Appendix D, 200 CLASS (CONSULAR LOOKOUT AND SUPPORT SYSTEM)

(TL:VISA-267;   04-25-2001)

9 FAM 201 CLASS FEATURES

(TL:VISA-119;   7-3-95)

CLASS is the Department's name-checking system for visa and passport applications. It replaced the Automated Visa Lookout System (AVLOS) in March 1991. CLASS is installed on the Department's main name-check computer at the Beltsville facility and is accessed by posts via telecommunications lines. The system is designed to interconnect with all CA automated systems at a post that requires name-checks. The names of all passport and visa applicants must be checked against the names in the appropriate CLASS file. CLASS contains two data files and also supports a refugee information entry sub-system. CLASS features are described below.

9 FAM 201.1 Visa Data Base

(TL:VISA-119;   7-3-95)

The CLASS visa database contains the names of aliens for visa name checking. An individual's name in CLASS indicates that information exists which may be germane to the application. While this information is often derogatory, it is not always. Therefore, CLASS users must understand and be able to interpret the information CLASS provides. Information in the visa portion of the CLASS name files should be used only in accordance with the confidentiality provisions of INA 222(f).

9 FAM 201.2 Passport Name File

(TL:VISA-119;   7-3-95)

The passport name file contains the names of U.S. citizens for whom the U.S. Passport Office maintains lookouts. Privacy Act restrictions apply to information obtained from this file. The names of U.S. citizens are not included in the CLASS visa database and must not to be checked as part of the visa name-check procedure.

9 FAM 201.3 Refugee Information Entry Sub-system

(TL:VISA-119; 7-3-95)

The Refugee Information Entry Sub-system transmits, via CLASS message, refugee data used by those agencies responsible for refugee case processing domestically and abroad. The information is sent after a refugee application has been approved and an alien number assigned to the refugee. The data are then passed to the refugee case processing agencies for their use.

9 FAM 202 CLASS PROCEDURES FOR ON-LINE POSTS

(TL:VISA-119; 7-3-95)

A post is termed "on-line" when the consular section has direct access through communication lines to the CLASS computer in the Department. Access to CLASS can be either via a telex terminal or via consular computer-assisted programs such as the Immigrant Visa Applicant Control System (IVACS), the Nonimmigrant Visa Computer-Assisted Processing System (NIVCAPS) or the Teletype Replacement Program (TTYREP). On-line posts must check each nonimmigrant and immigrant visa applicant's name through CLASS before visa issuance. When CLASS is not operational, on-line posts must make the required name-checks with the visa lookout microfiche or delay further action until CLASS is again functioning.

9 FAM 202.1 Name-Checking

(TL:VISA-119; 7-3-95)

Posts must use the routine visa name-check message which transmits the visa applicant's name, date, and place of birth via telecommunications lines directly to the Department's computer. CLASS will respond with a message indicating either no record or a "hit" if the name appears in CLASS. The operator must give a positive response to the interviewing consular officer for review to determine the relevance of the "hit."

9 FAM 202.2 Entering Refusals

9 FAM 202.2-1 Aliens Denied Visas

(TL:VISA-119; 7-3-95)

a. On-line posts should enter refusals directly into the CLASS visa database. The adjudicating post must enter the data relating to all applicants who have been denied visas, except for the following:

(1) Those denied under INA 221(g); and

(2) Those on whom the Department has rendered a security advisory opinion and has found sufficient evidence for a determination of ineligibility under INA 212(a)(3)(A), (B), or (C) . The Department will enter such cases into CLASS directly.

b. Duplicate Category One refusals should not be entered into CLASS. Duplicate Category Two refusals should not be entered more frequently than every 6 months. Specific information on refusal codes and retention periods is included in the Miscellaneous Consular Systems (CX) User's Manual, which CA/VO updates and distributes as necessary. [Also see 9 FAM PART IV Appendix D, Exhibit I for visa refusal and lookout codes.]

9 FAM 202.2-2 Potentially Ineligible Aliens

(TL:VISA-119;   7-3-95)

Aliens who may apply for visas at some future time, and who the consular officer has reason to believe might be excludable under a ground of ineligibility other than INA 212(a)(3)(A), (B), or (C), may be entered into CLASS using the appropriate quasi-refusal code shown in 9 FAM PART IV Appendix D, Exhibit I. Information on possible terrorists who may be subject to INA 212(a)(3)(B) should be immediately submitted to the Department via the "VISAS VIPER" procedure for possible inclusion of the aliens as DPT-00 CLASS entries. A "VISAS DONKEY" security advisory opinion request should be submitted on aliens potentially excludable under INA 212(a)(3)(A) or (C), again for possible entry into CLASS under the DPT-00 code. The "VISAS DONKEY" telegram in these cases should clearly indicate that the information pertains to a potentially ineligible alien, rather than an actual visa applicant. If a potential security case is time sensitive, on-line posts should immediately enter the alien's name in CLASS under code L (formerly code 45), and should add "possible DPT-00" in the free field, pending the Department's action on the "VISAS VIPER" or "VISAS DONKEY" telegram.

9 FAM 202.3 New Ineligibility Classes

(TL:VISA-119;   7-3-95)

The 1990 Act restructured and redefined the ineligibility grounds, effective June 1, 1991. Most are roughly comparable to the predecessor INA 212 provisions except for designations, but there are also certain nuance differences that preclude simply converting all old code citations into the new code series. See 9 FAM PART IV Appendix D, Exhibit I for chart correlating old, interim, and new refusal codes.

9 FAM 202.4 Corrections

(TL:VISA-119;   7-3-95)

If an incorrect entry is made, posts should send an update message with the correct information as soon as possible. Posts should also send a deletion (CLOK) telegram promptly to the Department (CA/VO) with sufficient data to identify and justify deletion of the incorrect entry. [See 9 FAM PART IV Appendix D, 204 below for detailed information on deletions.]

9 FAM 202.5 Other Messages

(TL:VISA-119;   7-3-95)

On-line CLASS posts may communicate with other on-line posts and the Department using the CLASS administrative message capability (even through the TTYREP function at post) which channels messages through the Department's computer. For details of passport name-check messages and other CLASS messages mentioned above, see the Miscellaneous Consular Systems (CX) User's Manual.

9 FAM 203 PROCEDURES FOR POSTS NOT ON-LINE

9 FAM 203.1 Name-Checking

(TL:VISA-119;   7-3-95)

For posts not included in the CLASS electronic network, a subset of the CLASS visa database is reproduced on the visa lookout microfiche which is distributed quarterly. Consular officers at posts not on-line must ensure that all visa applicants are checked against the latest available edition of the visa lookout microfiche.

9 FAM 203.2 Entering Refusals

9 FAM 203.2-1 Aliens Denied Visas

(TL:VISA-119;   7-3-95)

a.   Posts not on-line must submit their refusals to the Department for inclusion in CLASS by means of a CLOK visa lookout cable. All visa denials must be reported to the Department via a CLOK telegram except for the following categories, which should not be submitted:

(1) Those under INA 212(e), 221(g), 214(b), and 212(a)(7)(B); and

(2) Those which result from a security advisory opinion rendered by the Department finding sufficient evidence for a determination of ineligibility under INA 212(a)(3)(A), (B), or (C). Such cases will be entered into CLASS directly by the Department.

b.   Posts should handle duplicate entries in accordance with the procedures outlined in 9 FAM PART IV Appendix D, 202.2-1b above. Instructions for preparing CLOK telegrams are included in 9 FAM PART IV Appendix E, 302 Correspondence.

9 FAM 203.2-2 Potentially Ineligible Aliens

(TL:VISA-119;   7-3-95)

Posts must submit CLOK telegrams on aliens who may apply for visas in the future and who are potentially ineligible. In such cases, posts should use the appropriate quasi-refusal code shown in 9 FAM PART IV Appendix D, Exhibit I, except for aliens possibly excludable under INA 212(a)(3)(A), (B), or (C). Information on potential terrorists possibly subject to INA 212(a)(3)(B) must be submitted immediately by means of the "VISAS VIPER" procedure rather than by CLOK telegram. Requests for CLASS entries on aliens potentially ineligible under INA 212(a)(3)(A) and (C) must be sent via a "VISAS DONKEY" SAO request which must clearly indicate that the information pertains to a potentially ineligible alien and not an actual visa applicant. In all cases involving possible INA 212(a)(3)(A), (B), or (C) ineligibility, posts should request that the Department consider entering the alien under the DPT-00 code.

9 FAM 203.2-3 Incomplete Information

(TL:VISA-119;   7-3-95)

Consular officers should normally request new CLASS entries only when all required information has been obtained (name, including aliases, date and place of birth, and refusal code). However, if there are special circumstances making timely inclusion of the name critically important, all available information should be sent promptly to the Department by VISAS CLOK, VIPER, or DONKEY telegram, as appropriate. If complete information is later obtained and the consular officer considers that inclusion in CLASS is still warranted, the officer should send a CLOK telegram to the Department requesting that the entry be corrected. If later information indicates that inclusion in CLASS is not warranted, the officer should send an appropriate CLOK deletion telegram [see 9 FAM PART IV Appendix D, 204 below].

9 FAM 203.3 Corrections

(TL:VISA-119;   7-3-95)

Correction telegrams must include both the correct information and the incorrect information that currently appears in CLASS. The message should request that the new information be entered into the system and that the incorrect information be deleted. The telegram format in 9 FAM PART IV Appendix E, 302 Correspondence, CLOK must be followed.

9 FAM 204 DELETIONS

(TL:VISA-119; 7-3-95)

The Department makes all deletions from CLASS. Deletion request procedures are the same for all posts and require submission of a CLOK telegram from post. The cable should specify the alien's name, aliases, date and country of birth, and the CLASS refusal code under which the alien was entered. The message must also include sufficient information to permit the Department to make an informed decision as to whether the deletion is justified. Certain deletions require the submission of an advisory opinion request. Posts should not routinely request a manual deletion of Category Two refusals as they are automatically purged 1 or 2 year(s) after entry. Deletion procedures required for different categories of refusals are described in 9 FAM PART IV Appendix D, 204.4 below.

9 FAM 204.1 Routine Deletions

(TL:VISA-119; 7-3-95)

All posts should telegraphically request the Department to delete Category One entries from CLASS if any of the following circumstances apply:

(1) The original finding for the entry was in error;

(2) The post has evidence that the applicant has died;

(3) The alien, after having been included because of ineligibility under INA 212(a)(3)(D)(i) or its predecessor, is found no longer to be subject to that provision under INA 212(a)(3)(D)(ii) or (iii) because the membership either was involuntary or has been terminated and the alien is no threat to the United States, or, although subject to the provision, the alien has been granted relief under INA 212(a)(3)(D)(iv); or

(4) The alien has been granted relief under INA 212(c), (g), (h), or (i) or by enactment of a private immigration bill.

9 FAM 204.2 Deletions of Entries Relating to Security Grounds of Refusal

(TL:VISA-119; 7-3-95)

Posts must submit for a security advisory opinion any requests for deletion of refusals under any paragraph of INA 212(a)(3) (and the predecessor paragraphs (27), (28), (29), and (33)) and quasi- refusals under old refusal codes 77, 78, 79, and 83 or the new "P3" series. Entries under these codes and codes 00 (on-line) and DPT-1 (on microfiche) will be deleted only after the Department renders a favorable security advisory opinion.

9 FAM 204.3 Deletions of Other Category One Entries

(TL:VISA-119;   7-3-95)

Requests for deletions of other Category One entries must be supported by sufficient justification to merit deletion. Deletions will be made only after the Department (CA/VO) concurs in such action.

9 FAM 204.4 Automatic Deletions from CLASS

(TL:VISA-119;   7-3-95)

a. Each year, CLASS produces printed lists identifying all Category One entries designated for automatic removal using the criteria below. These lists are furnished to the entering posts to review before the entries are deleted. (Lists of Category Two refusals automatically purged are not produced.) Posts not on-line should promptly resubmit as "new entries" any names on the list which should be reentered into CLASS. On-line posts may reenter such names directly into the system via an update message using a current refusal date.

b. The purge criteria are:

(1) Category One refusals under INA 212(a)(1), (2), (3), (6), (C) and (E), and (8), as redesignated in Pub. L. 101-649 effective June 1, 1991, are automatically purged from the system when the subject reaches 90 (or, for (3)(E), 100) years of age, and at least 10 years have passed since the date of the last visa activity. Refusals under INA 212(a)(6)(B) (former (17)) are purged after 5 or 20 years depending on circumstances.

(2) Category Two entries are automatically purged from the computer 1 or 2 years after the date of original entry, depending on the grounds of refusal. [See Appendix A, Table A-2 of the Miscellaneous Consular Systems (CX) User's Manual for additional details on automatic deletions.]

9 FAM 204.5 Requests from the Public for Removal of Entries from CLASS

(TL:VISA-267;   04-25-2001)

The Department has prepared a standard letter that may be given to members of the public who ask to have CLASS entries removed (see 9 FAM Part IV Appendix D, Exhibit I). United States citizens and lawful permanent resident aliens may have their names removed from CLASS by submitting their request in writing to:

Chief, Systems Liaison and Procedures Division

Visa Office U.S. Department of State

Washington, D.C. 20522-0113.

Proof of U.S. citizenship or LPR status must be submitted with the request. This proof should consist of a copy of one of the following documents: U.S. passport, Certificate of Naturalization, Alien Registration Card (Form I-551), or Re-Entry Permit (Form I-132). Other forms of proof may be acceptable if they clearly establish that the subject of a CLASS entry is an U.S. citizen or lawful permanent resident alien.

Inquiries concerning removals of entries in CLASS made by a Foreign Service Post for subjects who are neither U.S. citizens nor LPRs should be directed to the Foreign Service Post that made the entry. Inquiries about entries in CLASS made by other agencies should be directed to the concerned agency.

CLASS entries made by Foreign Service Posts and the Department are subject to the confidentiality provisions of INA 222(f). Entries made in CLASS that originate with the Immigration and Naturalization Service are considered to be law enforcement information and should not be discussed or disclosed to public.

9 FAM 205 MANAGEMENT PROCEDURES FOR CLASS

9 FAM 205.1 Name-checking

(TL:VISA-119;   7-3-95)

Supervisory consular officers must establish procedures to ensure that all visa applicants' names are checked against the CLASS database as specified in 9 FAM PART IV Appendix D, 202 and 9 FAM PART IV Appendix D, 203.1 above.

9 FAM 205.2 Entry of Visa Refusals

(TL:VISA-119;   7-3-95)

Supervisory consular officers must ensure that the names of applicants refused visas are entered into CLASS under the appropriate refusal code, either directly at on-line posts or via lookout telegrams for posts not on-line.